labels, (tins) "Safely used for the following conditions * * * Neuralgia * * * Toothache, Earache, Lumbago * * * Grippe, Sciatica, Painful Periods, Rheumatism, and Pains from Indigestion," (circular) "For pain in general * * * Earache, Toothache, Lumbago, Sciatica, Rheumatic Pains, Indigestion, Neuralgia, Periodic Pains, Gives Safe Dependable Relief * * * Periodic Pains: Use Buddies according to instructions. * * * In extreme need give 2 tablets. * * * In all other cases they are a * * * dependable pain relief * * * Ear and Toothache: Use Buddies according to instructions. * * * Grippe: Use Buddies according to instructions * * * Rheumatism, Lumbago, Neuralgia, and Sciatica: Use Buddies according to instructions. * * * Indigestion, Dyspepsia, and Stomach Gas: Use Buddies according to instructions," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed and in that the said statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof and create in the minds of such purchasers the impression and belief that the said article was in whole or in part composed of or contained ingredients or medicinal agents effective in the diseases and conditions named therein.

On April 16, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

16373. Adulteration and misbranding of strychnine sulphate tablets, sodium salicylate tablets, sirup of ipecac, and tincture nux vomica. U. S. v. William R. Warner & Co. (Inc.). Plea of guilty. Fine, $500. (F. & D. No. 23706. I. S. Nos. 20904-x, 20909-x, 20916-x, 20919-x.)

On March 5, 1929, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against William R. Warner & Co. (Inc.), a corporation trading at New York, N. Y., alleging shipment by said company, in violation of the food and drugs act, from the State of New York into the State of New Jersey, on or about September 15, 1927, of a quantity of strychnine sulphate tablets and sirup of ipecac, and on or about September 29, 1927, of a quantity of tincture nux vomica and sodium salicylate tablets, which products were adulterated and misbranded. The articles were labeled in part, variously: "Tablet Triturates * * * Strychnine Sulphate Each Tablet Contains a 1-100 grain * * * William R. Warner & Co., Inc.;" "Syrup Ipecac U. S. P. X. * * * William R. Warner & Co., Inc.;" "Tincture Nux Vomica U. S. P. X. * * * Standard: 0.237 Gm. to 0.263 Gm. alkaloids of nux vomica per 100 cc. * * * William R. Warner & Co., Inc.;" "Tablets * * * Sodium Salicylate Each tablet contains 5 grains * * * William R. Warner & Co., Inc. * * * New York St. Louis."

Analyses of samples of the articles by this department showed that the strychnine sulphate tablets labeled, "1/100 grain," contained approximately 1/124 grain of strychnine sulphate per tablet; the sodium salicylate tablets labeled, "5 grains," contained 4 1/3 grains of sodium salicylate per tablet; the sirup of ipecac yielded not less than 1.32 grams of the ether-soluble alkaloids of ipecac per 1,000 cubic centimeters, and the tincture of nux vomica yielded not less than 0.294 gram of the alkaloids of nux vomica per 100 cubic centimeters.

Adulteration of the said tablets was alleged in substance in the information for the reason that their strength and purity fell below the professed standard and quality under which they were sold in that each of said tablets was represented to contain not less than 1/100 grain of strychnine sulphate, or 5 grains of sodium salicylate, as the case might be, whereas each of said tablets contained less of the product than represented on the label thereof. Adulteration of the sirup of ipecac and the tincture nux vomica was alleged for the reason that they were sold under and by means recognized in the United States Pharmacopœia and differed from the standard of strength, quality, and purity as determined by the tests laid down in said pharmacopœia official at the time of investigation of the articles, in that the sirup of ipecac yielded more than 1.155 grams of the ether-soluble alkaloids of ipecac per 1,000 cubic centimeters, to wit, not less than 1.32 grams of ether-soluble alkaloids of ipecac per 1,000 cubic centimeters, whereas said pharmacopœia provided that

1,000 cubic centimeters of sirup of ipecac should contain 70 cubic centimeters of fluidextract of ipecac and that fluidextract of ipecac should yield not more than 1.65 grams of ether-soluble alkaloids of ipecac per 100 cubic centimeters; the said tincture nux vomica contained more than 0.263 gram of the alkaloids of nux vomica per 100 cubic centimeters, to wit, not less than 0.294 gram of the alkaloids of nux vomica per 100 cubic centimeters, whereas the pharmacopœia provided that tincture nux vomica should yield not more than 0.263 gram of the alkaloids of nux vomica per 100 cubic centimeters; and the standard of strength, quality, and purity of the said articles was not declared on the containers thereof. Adulteration of the tincture nux vomica was alleged for the further reason that its strength and purity fell below the professed standard and quality under which it was sold in that it was represented to contain 0.237 gram to 0.263 gram of the alkaloids of nux vomica per 100 cubic centimeters, whereas it contained more than 0.263 gram of the alkaloids of nux vomica per 100 cubic centimeters. Misbranding of the said tablets was alleged for the reason that the statements, "Strychnine Sulphate, Each Tablet Contains 1-100 grain," and "Sodium Salicylate Each Tablet contains 5 grains," borne on the labels of the respective products, were false and misleading in that the said statements represented that each of said tablets contained 1-100 grain of strychnine sulphate, or 5 grains of sodium salicylate, as the case might be, whereas the said tablets contained less than so represented. Misbranding of the said sirup of ipecac and the tincture nux vomica was alleged for the reason that the statements, to wit, "Syrup Ipecac U. S. P. X." and "Tincture Nux Vomica U. S. P. X.," "Standard: 0.237 Gm. to 0.263 Gm. Alkaloids of nux vomica per 100 cc.," borne on the labels attached to the bottles containing the respective articles, were false and misleading in that they represented that the articles were sirup of ipecac and tincture nux vomica, which conformed to the tests laid down in the tenth revision of the United States Pharmacopœia, and that the tincture nux vomica contained not more than 0.263 gram of the alkaloids of nux vomica per 100 cubic centimeters, whereas the said articles did not conform to the tests laid down in the tenth revision of the United States Pharmacopœia and the tincture nux vomica contained more than 0.263 gram of the alkaloids of nux vomica per 100 cubic centimeters, to wit, not less than 0.294 gram of the alkaloids of nux vomica per 100 cubic centimeters.

On May 6, 1929, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of $500.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

16374. Adulteration and misbranding of Chek-a-Cold tablets. U. S. v. 96 Packages of Chek-a-Cold Tablets. Decree entered adjudging product adulterated and misbranded with provision for release under bond for relabeling. (F. & D. No. 23523. I. S. No. 01563. S. No. 1717.)

On March 19, 1929, the United States attorney for the Eastern District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 96 packages of Chek-a-Cold tablets at Muskogee, Okla., alleging that the article had been shipped by the Continental Drug Corporation, Alton, Ill., on or about January 17, 1929, and transported from the State of Illinois into the State of Oklahoma, and charging adulteration and misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that the tablets consisted essentially of acetanilide (0.85 grain per tablet), capsicum, and aloe.

It was alleged in the libel that the article was adulterated in that its strength fell below the professed standard under which it was sold, namely, "1 Grain Acetanilid in Each Tablet."

Misbranding was alleged for the reason that the statement on the carton container of the said package, to wit, "1 Grain Acetanilid in Each Tablet," was false and misleading. Misbranding was alleged for the further reason that the package failed to bear a statement on the label of the quantity of proportion of acetanilide contained therein, the declaration "1 Grain Acetanilid in Each Tablet" being incorrect. Misbranding was alleged for the further reason that the following statements regarding the curative and therapeutic effects of the article, (display card) "Effective treatment for * * * Influenza * * * Grippe," (circular) "Effective treatment for * * * Influenza * * *